

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No. : 10/643,394

Applicant(s): Yoshinori TSUBAKI et al.

Filed : August 18, 2003

For : INK JET RECORDING SHEET...

Art Unit : 1774

Examiner : Pamela R. Schwartz

Docket No. : 03478/HG

Confirm. No.: 3403

Customer No.: 01933

DECLARATION UNDER 37 CFR 1.132

1. I, Yoshinori TSUBAKI, declare that I am an inventor of the invention described and claimed in the above-referenced application.

That I graduated from Science University of Tokyo having been awarded a Master's Degree in Industrial Chemistry in March 1998. Since April 1998, I have been employed by Konica Corporation, which, is now KONICA MINOLTA HOLDINGS, INC., the Assignee of the above-identified application. During my employment, I have been engaged in the research and the study of ink jet recording materials.

2. What follows are the results of certain measurements conducted in accordance with my detailed instructions under my direct supervision.

### 3. Measurement

#### <Preparation of ink-jet media (Sample B)>

An ink-jet recording media (Sample B) was prepared following Example 1 of Held et al. (USP 5,537,137) for Sample B (non-UV cured). The weight ratio of the fine particles of calcium chloride to the polymer compound (SPP-11-KM) was 1:9.

#### <Preparation of ink-jet media (Sample B-1)>

The ink-jet recording media (Sample B-1) was prepared in the same manner as the Sample B, except that the ratio was 7:1.

#### <Measurement>

Prepared Sample B and B-1 above were measured according to the definition described on page 13, line 21 to page 14, line 3 in the present application specification.

### 4. Result

The volume of the void of Sample B having the ratio of 1:9 was 2 ml/m<sup>2</sup>. The value of 2 ml/m<sup>2</sup> is not within the range of the present invention as claimed in claim 1. The volume of the void of Sample B-1 having the ratio of 7:1 was 6 ml/m<sup>2</sup>. The value of 6 ml/m<sup>2</sup> is not within the range of 15 to 40 ml/m<sup>2</sup> in claim 1. That is to say, the result shows that the volume of the void does not meet the present invention requirements.

### 5. Conclusion

The above measurement, provides strong evidence that Held et al. in fact does not disclose the claimed invention.

Furthermore, Held et al. is directed to a swelling type medium which is not a void type medium. Therefore, even if the weight ratio of the fine particles to the polymer compound of Held et al. were to fall within 2:1 to 50:1, the void volume would not be within the claimed range of 15 to 40 ml/m<sup>2</sup>.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: May 22, 2006

Yoshinori Tsubaki  
Yoshinori TSUBAKI